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18 UNITED STATES DISTRICT COURT
19 NORTHERN DISTRICT OF CALIFORNIA
20 SAN FRANCISCO DIVISION

21 WENDELL WALTON and MICHAEL
MANTONYA, individually and on behalf of
all others similarly situated,

22 Plaintiffs,

23 v.

24 AT&T SERVICES, INC.

25 Defendant.
26
27

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Case No. 15-cv-03653-VC

**JOINT STIPULATION AND ~~PROPOSED~~
ORDER TO CONTINUE BRIEFING
SCHEDULE AND HEARING DATE FOR
AT&T'S SUMMARY JUDGMENT
MOTIONS**

STIPULATION AND ~~PROPOSED~~ ORDER TO CONTINUE
BRIEFING SCHEDULE AND HEARING DATE FOR
AT&T'S SUMMARY JUDGMENT MOTIONS
CASE NO. 15-CV-03653-VC

1 Plaintiffs Wendell Walton and Michael Mantonya (“Plaintiffs”) and Defendant AT&T
2 Services, Inc. (“AT&T”) hereby stipulate and agree as follows:

3 WHEREAS, on August 25, 2016, AT&T filed Motions for Summary Judgment as to
4 Plaintiffs Wendell Walton and Michael Mantonya, ECF Nos. 92 and 93;

5 WHEREAS, on August 26, 2016, Plaintiffs filed an Administrative Motion to take off
6 calendar AT&T’s Motions, ECF No. 95;

7 WHEREAS, the parties agreed to withdraw their respective motions and meet and confer
8 on a briefing schedule and a timetable to complete the discovery reasonably necessary for
9 Plaintiffs to oppose the summary judgment motion;

10 WHEREAS, on September 7, 2016, AT&T refiled its Motions for Summary Judgment as
11 to both Plaintiffs and set a hearing date of November 17, ECF Nos. 99 and 100, but stated it was
12 willing to stipulate to a briefing schedule that might include a later hearing date;

13 WHEREAS, per the local rules, this filing automatically triggered a deadline of September
14 21 for Plaintiffs’ opposition briefs;

15 WHEREAS, the parties have met and conferred and continue to meet and confer by letter
16 and telephone regarding the appropriate scope of depositions and document production (including
17 reasonable ESI discovery);

18 WHEREAS, Plaintiffs are exploring whether to bring affirmative motions for summary
19 judgment;

20 WHEREAS, AT&T has agreed to extend the deadline to respond beyond the present
21 September 21 deadline while the parties continue to attempt to establish a schedule;

22 WHEREAS, the parties propose the revised deadlines and hearing date set forth below,
23 without prejudice to a further stipulation or unilateral request by Plaintiffs to further extend the
24 schedule as they deem necessary to oppose the summary judgment motion;

25 WHEREAS, Plaintiffs may bring a unilateral request to move the summary judgment
26 hearing date so that all summary judgment motions may be heard on the same date; and
27

WHEREAS, if the parties cannot ultimately agree on the appropriate scope and timing of the above-referenced discovery, the parties will request a telephonic hearing with the Court.

THEREFORE, the parties hereby propose the following briefing and hearing schedule for AT&T's Motions (ECF Nos. 99 and 100):

Item	Current Deadline	Proposed Deadline
Plaintiffs' Opposition	September 21, 2016	November 3, 2016
AT&T's Reply	September 28, 2016	November 17, 2016
MSJ Hearing	November 17, 2016	December 1, 2016

Dated: September 16, 2016

Respectfully submitted,

By: /s/ Jahan C. Sagafi
Jahan C. Sagafi

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*Attorneys for Plaintiffs and Proposed Collective
and Class Members*

1 Dated: September 16, 2016

By: /s/ Thomas R. Kaufman

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ORDER

The briefing schedule and hearing date for AT&T's Summary Judgment Motions, ECF Nos. 99 and 100, are hereby adjourned to the following dates:

Item	Current Deadline	Proposed Deadline
Plaintiffs' Opposition	September 21, 2016	November 3, 2016
AT&T's Reply	September 28, 2016	November 17, 2016
Hearing	November 17, 2016	December 1, 2016

It is so **ORDERED**.

Dated: September 16, 2016

By: 
 THE HONORABLE VINCE CHHABRIA
 UNITED STATES DISTRICT COURT JUDGE

I, Jahan C. Sagafi, am the ECF User whose ID and password are being used to file the foregoing JOINT STIPULATION & [PROPOSED] ORDER. In compliance with Local Rule 5-1(i)(3), I hereby attest that Defendant's counsel, Thomas R. Kaufman, has concurred in this filing.

By

Jahan C. Sagafi
*Attorney for Plaintiffs and Proposed Class and
Collective Members*